

Standards and Directions for Assessing Compliance

Revised August 17, 2015

Evaluation Sample

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

Item	Compliance Statement	Standards and Directions	Correction
EVAL-1	<p>The student’s parents were contacted and afforded an opportunity to participate in the review of existing evaluation data.</p> <p>34 CFR §300.305(a), §300.321(a)(1) Wis. Stats., §115.782(2)(b)1</p> <p>Indicator 8</p>	<p>After a parent is notified in writing of the start of an initial evaluation or reevaluation, IEP team members must review existing data to determine what additional data are needed, if any. The student’s parents, as members of the IEP team, must have the opportunity to participate in this review. After the review is complete the local educational agency (LEA) must either notify the parent no additional assessments are needed or request parental consent for additional assessment.</p> <p>This requirement has three components:</p> <ul style="list-style-type: none"> • The review of existing data must occur <u>after</u> the parent is notified in writing of the start of an evaluation (IE-1 or RE-1). • The date, method, and the parent’s input must be documented. This information is often located on the <i>Worksheet for Consideration of Existing Data</i> (EW-1). • The review of existing data must occur on or before the date on the form requesting parental consent for additional assessment or the notice no additional assessments are needed (IE-2, IE-3, RE-4, or RE-5). <p>The review of existing data may occur on the same day the parent is notified of the start of an evaluation only if the parent is provided with a copy of the notice of the start of the evaluation in person prior to the review. If the notice of the start of an evaluation (IE-1 or RE-1) is mailed to the parent, the LEA</p>	<p><i>Student-level Noncompliance:</i></p> <p>The department will verify correction of student-level noncompliance. If the parent was not afforded an opportunity to participate in the review of existing data, review evaluation data with the parent and determine whether additional evaluation data were needed at the time of the evaluation. If additional data were needed, decide whether a reevaluation is warranted at this time. Document the results of the discussion with the parent and the decision reached.</p> <p>If the parent was afforded an opportunity to participate in the review of existing data, but the review occurred before the parent was notified in writing of the start of the evaluation, no student-level corrective action is required. There must be evidence of the</p>

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EVAL-1 cont'd		<p>should consider the amount of time mail takes to go through the LEA's processing and mailing system before beginning to review existing data.</p> <p>Although the review of existing data may be completed during an IEP team meeting, an IEP team meeting is not required for this purpose. If a meeting was held to review existing evaluation data, look for an <i>Evaluation Report and IEP Cover Sheet</i> (I-3) and determine whether the parent attended the meeting to review existing evaluation data. A meeting to review existing data may be held on the same day the parent receives the <i>Notice of Receipt of Referral</i> (IE-1) or <i>Notice of Reevaluation</i> (RE-1), as long as the notice is provided before existing data is reviewed and before consent for additional testing is requested.</p> <p>The review may be conducted without a parent's participation if the LEA is unable to convince the parent to participate. If the parent did not participate, the LEA must document at least three reasonable attempts to convince the parent to participate.</p> <p>The record of attempts to involve parents in the review can be found on the LEA's notices, forms IE-2, IE-3, RE-4, or RE-5. In some cases, the record of attempts to involve the parents in the review will be found in section III of form EW-1. Examples of documentation include:</p> <ul style="list-style-type: none"> • detailed records of telephone calls and the results of those calls; • copies of correspondence sent to parent and any response received; and • detailed records of visits made to the parent's home or place of employment and results of the visits. 	<p>parent's participation.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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EVAL-1 cont'd		If the parent did not participate, but there is a record of at least three reasonable attempts to convince the parent to participate, the requirement is met. Often school personnel will attempt to contact parents by telephone. Do not count a telephone call where there is no answer or no message is left as an attempt. A telephone call where the phone is answered and a message is left may be counted. A delivered e-mail message may be counted as an attempt.	
EVAL-2-4 EVAL-2 EVAL-3 EVAL-4	<p>A review of existing evaluation data on the student to identify what additional data, if any, were needed to complete the evaluation or reevaluation included:</p> <p>a. not less than 1 regular education teacher of such student (if the student is, or may be, participating in the regular education environment); and</p> <p>b. not less than 1 special education teacher of the student, or where appropriate, not less than 1 special education provider of such student; and</p> <p>c. a local educational agency representative.</p>	<p>After a parent is notified in writing of the start of an initial evaluation or reevaluation, IEP team members must review existing data to determine what, if any, additional data are needed. After the review is complete, the LEA must either notify the parent no additional assessments are needed or request parental consent for additional assessment.</p> <p>This requirement has three components:</p> <ul style="list-style-type: none"> • The review of existing data must occur <u>after</u> the parent is notified in writing of the start of an evaluation (IE-1 or RE-1). • The required IEP team member's input and the date of the input must be documented. This information is often located on the <i>Worksheet for Consideration of Existing Data</i> (EW-1). • The review of existing data must occur on or before the date on the form requesting parental consent for additional assessment or the notice no additional assessments are needed (IE-2, IE-3, RE-4, or RE-5). <p>The review of existing data may occur on the same day the parent is notified of the start of an evaluation only if the parent is</p>	<p><i>Student-level Noncompliance:</i> The department will verify correction of student-level noncompliance. If the required IEP team member was not afforded an opportunity to participate in the review of existing data, review evaluation data with the member and determine whether additional evaluation data were needed. If additional data were needed at the time of the evaluation, determine whether a reevaluation is warranted at this time. Document the results of the discussion with the IEP team member and the decision reached.</p> <p>If the required IEP team member was afforded an opportunity to participate in the review of</p>

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EVAL-2-4 cont'd	34 CFR § 300.305(a), §300.321(a)(2-4) Wis. Stats. § 115.782(2)(b)1 Indicator 3	<p>provided with a copy of the notice of the start of the evaluation in person prior to the review. If the notice of the start of an evaluation (IE-1 or RE-1) is mailed to the parent, the LEA should consider the amount of time mail takes to go through the LEA's processing and mailing system before beginning to review existing data.</p> <p>Although the review of existing data may be completed during an IEP team meeting, an IEP team meeting is not required for this purpose. If a meeting was held to review existing evaluation data, look for an <i>Evaluation Report and IEP Cover Sheet</i> (I-3) and determine whether the required IEP team member attended the meeting to review existing evaluation data. A meeting to review existing data may be held on the same day the parent receives the <i>Notice of Receipt of Referral</i> (IE-1) or <i>Notice of Reevaluation</i> (RE-1), as long as the notice is provided before existing data is reviewed and before consent for additional testing is requested.</p> <p>A regular education teacher is a required member of the IEP team for a child with a disability age 3-5 if the child is or may be participating in a regular early childhood program during the term of the IEP.</p> <p>If the student is not in a regular education environment and is not anticipated to be in a regular education environment during the term of the IEP, including a regular early childhood program for a child age 3-5, enter "NA" for item EVAL-2.</p> <p>A common error is failing to obtain the input of the LEA representative. Another common error occurs when the</p>	<p>existing data, but the review occurred before the parent was notified in writing of the start of the evaluation, no student-level corrective action is required. There must be evidence of the IEP team member's participation.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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EVAL-2-4 cont'd		<p>individualized education program (IEP) team participant who fills out the <i>Worksheet for Consideration of Existing Data</i> fails to include his or her own input.</p> <p>Another common error occurs when a case review by a problem-solving team (teacher assistance teams, building consultation teams) prior to referral for special education is documented, instead of the IEP team's review to decide whether additional evaluation data is needed to complete an IEP team evaluation.</p>	
EVAL-5	<p>The student's parent attended the meeting to determine whether the student is or continues to be a child with a disability or participated by other means.</p> <p>34 CFR § 300.306, §300.501(b) Wis. Stats. §115.78(2)(a)</p> <p>Indicator 8</p>	<p>The LEA must take steps to ensure one or both of the parents of the student are present at the IEP team meeting or are afforded the opportunity to participate, including 1) notifying parents of the meeting early enough to ensure that they have an opportunity to attend; and 2) scheduling the meeting at a mutually agreed on time and place.</p> <p>If neither parent can attend, the school must use other methods to ensure parent participation, including individual or conference telephone calls.</p> <p>Look at the <i>Evaluation Report and IEP Cover Sheet</i> (I-3) for the name of the parent listed as a participant. Also look on the I-3 to see that "evaluation including determination of eligibility" is indicated as a purpose of the meeting. Consider the LEA's practices for documenting meeting attendance. If the LEA's practice is to list the participants on I-3 based on their actual attendance, consider the requirements met if the parent is listed as a meeting participant and one purpose of the meeting is IEP review or development. Some LEAs enter the names of IEP team participants before the meeting is conducted. They use check marks or participants' initials to indicate attendance at the</p>	<p><i>Student-level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting to determine whether the student is or continues to be a child with a disability. Document the results of the discussion with the parent and the decision reached. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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EVAL-5 cont'd		<p>meeting. For such LEAs, consider the requirement met if there is a check mark or initials indicating the parent attended and one purpose of the meeting was evaluation.</p> <p>If determining eligibility is not indicated on the <i>Evaluation Report and IEP Cover Sheet</i> (I-3) as one purpose of the meeting, you may still be able to establish the purpose of the meeting. Look for other evidence of the purpose of the meeting. Look at the <i>Invitation to a Meeting of the IEP Team</i> (I-1) sent to the parent. Note whether the invitation to the meeting indicates “determining initial or continuing eligibility” as one purpose of the meeting. Also look at the <i>Evaluation Report: including Determination of Eligibility and Need for Special Education</i> (ER-1) and note whether the date of the eligibility determination is the same as the date of the IEP team meeting on the <i>Evaluation Report and IEP Cover Sheet</i> (I-3). The purpose of the meeting is established if the invitation to the meeting (I-1) indicates evaluation as a purpose, and the date of the eligibility determination (ER-1) is the same as the date of the meeting (I-3).</p> <p>If no parent attended the meeting or participated by other means, the parent participation requirement may still be met. If there is documentation the parents have agreed to participate in the IEP team meeting and the parents fail to arrive for the scheduled meeting, the meeting may proceed without the parents in attendance. Look for documentation that the parent agreed to the time and place of the meeting.</p> <p>The requirement may still be met even if the parent declined to participate or did not respond to reasonable attempts to obtain participation in the meeting. Look at the bottom of the</p>	

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EVAL-5 cont'd		<p><i>Evaluation Report and IEP Cover Sheet</i> (I-3) for documentation of at least three reasonable attempts to obtain the parent's participation. Examples include:</p> <ul style="list-style-type: none"> Records of telephone calls and the results of those calls. Do not count a telephone call where there is no answer or no message is left as an attempt. A telephone call where the phone is answered and a message is left may be counted. Correspondence sent to parents, including e-mail, and any response received. Records of visits to the parent's home or place of employment and the results of the visits. 	
EVAL-6	<p>At the IEP team meeting to determine whether the student is a child with a disability, the IEP team reviewed evaluations and information provided by the student's parents.</p> <p>34 CFR §300.305(a)(1) Wis. Stats. §115.782(2)(b)1</p> <p>Indicator 8</p>	<p>At the IEP team meeting to determine eligibility, the IEP team must review evaluations and information provided by the student's parents. The relevant information is summarized in <i>Evaluation Report: including Determination of Eligibility and Need for Special Education</i> (form ER-1). Look under "Information from Review of Existing Data" and "Information provided by parents" for information supplied by the parents. Also look under "Summary of previous evaluations" for results of evaluations provided by parents, if any.</p>	<p><i>Student-level Noncompliance:</i> Offer to parents to conduct a new IEP team meeting to determine whether the student is or continues to be a student with a disability. Document the results of the discussion with the parent and the decision reached. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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EVAL-7	<p>At the IEP team meeting to determine whether the student is a child with a disability, the IEP team reviewed previous interventions and the effects of those interventions.**</p> <p>Wis. Stats. §115.782(2)(b)1</p> <p>Indicator 10</p>	<p>At the IEP team meeting to determine eligibility, the IEP team must review previous interventions for the student and the effects of those interventions. The relevant information is summarized in the <i>Evaluation Report: including Determination of Eligibility and Need for Special Education</i> (ER-1). Look under “Information from Review of Existing Data” and “Previous interventions and the effects of those interventions” for a description of <u>both</u> the interventions for the student <u>and</u> the effect of those interventions. Ensure both the interventions, <u>and</u> their effects are documented.</p> <p>For example “Child received Birth to 3 services for developmental delays. Although progress was made, language delays continue to exist.” Examples that meet minimal compliance include “Student participated in Title I Reading, but has made little progress” or “Moved the student to front of room, which increased his time on task.”</p> <p>In some cases, there may have been no previous interventions. In such cases, except for initial SLD evaluations, the requirement is met if the IEP team documented there were no previous interventions. For initial SLD evaluations, documentation of an intensive intervention is required.</p>	<p><i>Student-level Noncompliance:</i> Offer to parents to conduct a new IEP team meeting to determine if omitted information affects the eligibility determination. If yes, then reconsider eligibility. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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IEP Sample

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

Item	Compliance Statement	Standards and Directions	Correction
IEP-1	<p>The student’s parent attended the meeting(s) to develop or review the student’s IEP or participated by other means.</p> <p>34 CFR §300.322, Wis. Stats. §115.78(2)(b)</p> <p>Indicator 8</p>	<p>The school must take steps to ensure that one or both of the parents of the student are present at the IEP team meeting or are afforded the opportunity to participate, including 1) notifying parents of the meeting early enough to ensure that they have an opportunity to attend; and 2) scheduling the meeting at a mutually agreed on time and place.</p> <p>If neither parent can attend, the school must use other methods to ensure parent participation, including individual or conference telephone calls.</p> <p>Look at the <i>Evaluation Report and IEP Cover Sheet</i> (I-3) for the name of the parent listed as a participant. Also look on the I-3 to see that developing or revising the IEP is indicated as a purpose of the meeting. Consider the LEA’s practices for documenting meeting attendance. If the LEA’s practice is to list the participants on I-3 based on their actual attendance, consider the requirements met if the parent is listed as a meeting participant and one purpose of the meeting is IEP review or development. Some agencies enter the names of IEP team participants before the meeting is conducted. They use check marks or participants’ initials to indicate attendance at the meeting. For such agencies, consider the requirement met if there is a check mark or initials indicating the parent attended and one purpose of the meeting is IEP review or development.</p> <p>If IEP review or development is not indicated on the <i>Evaluation Report and IEP Cover Sheet</i> (I-3) as one purpose of the meeting,</p>	<p><i>Student-level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting to develop or review the student’s IEP. Document the results of the discussion with the parent and the decision reached. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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IEP-1 cont'd		<p>you may still be able to establish the purpose of the meeting. Look at the <i>Invitation to a Meeting of the IEP Team</i> (I-1) to see if IEP review or development is one purpose of the meeting. Then look at the meeting dates on the <i>Determination and Notice of Placement</i> (P-1 or P-2), the <i>Evaluation Report and IEP Cover Sheet</i> (I-3), and the <i>Invitation to a Meeting of the IEP Team</i> (I-1). The purpose of the meeting is established if:</p> <ul style="list-style-type: none"> the <i>Invitation to a Meeting of the IEP Team</i> (I-1) indicates IEP review or development as a purpose of the meeting; and the meeting dates on the <i>Determination and Notice of Placement</i>, the <i>Invitation to a Meeting of the IEP Team</i>, and the <i>Evaluation Report and IEP Cover Sheet</i> all match. <p>If no parent attended the meeting or participated by other means, the parent participation requirement may still be met. If there is documentation the parents have agreed to participate in the IEP team meeting and the parents fail to arrive for the scheduled meeting, the meeting may proceed without the parents in attendance. Look for documentation that the parent agreed to the time and place of the meeting.</p> <p>The requirement may still be met even if the parent did not agree to participate in the meeting. Look at the bottom of the <i>Evaluation Report and IEP Cover Sheet</i> (I-3) for documentation of at least three reasonable attempts to obtain the parent's participation. Examples include:</p> <ul style="list-style-type: none"> records of telephone calls and the results of those calls (an unanswered telephone call in which no message has been left, does not count as a reasonable attempt); 	

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IEP-1 cont'd		<ul style="list-style-type: none"> correspondence sent to parents, including e-mail, and any response received; and records of visits to the parent's home or place of employment and the results of the visits. 	
IEP-2	<p>The student's parent attended the meeting to determine the student's placement or participated by other means.</p> <p>34 CFR §300.327, §300.501(c) Wis. Stats. §115.78(2)(c)</p> <p>Indicator 8</p>	<p>The school must take steps to ensure that one or both of the parents of the student are present at the IEP team meeting or are afforded the opportunity to participate, including 1) notifying parents of the meeting early enough to ensure that they have an opportunity to attend; and 2) scheduling the meeting at a mutually agreed on time and place.</p> <p>If neither parent can attend, the school must use other methods to ensure parent participation, including individual or conference telephone calls.</p> <p>Look at the <i>Evaluation Report and IEP Cover Sheet</i> (I-3) for the name of the parent listed as a participant. Also look on the I-3 to see that determination of placement is indicated as a purpose of the meeting. Consider the LEA's practices for documenting meeting attendance. If the LEA's practice is to list the participants on I-3 based on their actual attendance, consider the requirements met if the parent is listed as a meeting participant and one purpose of the meeting is determining placement. Some agencies enter the names of IEP team participants before the meeting is conducted. They use check marks or participants' initials to indicate attendance at the meeting. For such agencies consider the requirement met if there is a check mark or initials indicating the parent attended and one purpose of the meeting is determining placement.</p> <p>If determination of placement is not indicated on the <i>Evaluation</i></p>	<p><i>Student-level Noncompliance:</i> Offer parents the opportunity to conduct a new IEP team meeting to determine the student's placement. Document the results of the discussion with the parent and the decision reached. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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IEP-2 cont'd		<p><i>Report and IEP Cover Sheet (I-3)</i> as one purpose of the meeting, you may still be able to establish the purpose of the meeting. Look at the <i>Invitation to a Meeting of the IEP Team (I-1)</i> to see if determination of placement is one purpose of the meeting. Then look at the meeting dates on the <i>Determination and Notice of Placement (P-1 or P-2)</i>, the <i>Evaluation Report and IEP Cover Sheet (I-3)</i>, and the <i>Invitation to a Meeting of the IEP Team (I-1)</i>. The purpose of the meeting is established if:</p> <ul style="list-style-type: none"> • the <i>Invitation to a Meeting of the IEP Team (I-1)</i> indicates determination of placement as a purpose of the meeting; and • the meeting dates on the <i>Determination and Notice of Placement</i>, the <i>Invitation to a Meeting of the IEP Team (I-1)</i>, and the <i>Evaluation Report and IEP Cover Sheet</i> all match. <p>If no parent attended the meeting or participated by other means, the parent participation requirement may still be met if any of the following is true:</p> <ul style="list-style-type: none"> • there is documentation the parents agreed to participate in the IEP team meeting and the parents failed to arrive for the scheduled meeting. Look for documentation the parent agreed to the time and place of the meeting. • there is documentation the LEA made three reasonable attempts to convince the parent to participate in the meeting. Look at the bottom of the <i>Evaluation Report and Cover Sheet (I-3)</i> for documentation of at least three reasonable attempts to obtain parent participation. • There is documentation the parent informed the district they did not want to attend the meeting, and that they should proceed without their attendance. 	

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IEP-2 cont'd		<p>Examples include:</p> <ul style="list-style-type: none"> records of telephone calls and the results of those calls (an unanswered telephone call in which no message has been left, does not count as a reasonable attempt); correspondence sent to parents, including e-mail, and any response received; and records of visits to the parent's home or place of employment and the results of the visits. 	
IEP-3	<p>The LEA conducted an IEP team meeting to develop or review and revise the IEP that included a LEA representative.</p> <p>34 CFR §300.321(a)(4); Wis. Stats. §115.78(1m)(d)</p> <p>Indicator 1</p>	<p>Locate the <i>Evaluation Report and IEP Cover Sheet</i> (I-3). The requirements are met if an LEA representative attended the meeting. Some agencies enter the names of IEP team participants before the meeting is conducted. They use check marks or participants' initials to indicate attendance at the meeting. For such agencies consider the requirement met if there is a check mark or initials indicating the LEA representative attended and a purpose of the meeting is to develop or review or revise the IEP.</p> <p>If the LEA representative did not attend, the requirement may still be met. In two circumstances, IDEA 2004 permits required IEP team participants not to attend IEP team meetings, in part or in whole. First, a participant is not required to attend an IEP team meeting, in whole or in part, if the parent and the LEA agree in writing the attendance of the required participant is not necessary because the participant's area of the curriculum or related services is not being modified or discussed in the meeting.</p> <p>Second, a required participant may be excused from attending an IEP team meeting even if the meeting involves a modification to,</p>	<p><i>Student-level Noncompliance:</i> Offer to parent to conduct a new IEP team meeting with the LEA representative present. Document the results of the discussion with the parent and the decision reached. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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IEP-3 cont'd		<p>or discussion of, the participant's area of the curriculum or related services. The required participant may be excused if, on or prior to the meeting date, the parent gives written consent and prior to the meeting, the excused participant submits to the parent and the IEP team written input into the development of the IEP.</p> <p>The LEA cannot consent to the excusal of the LEA representative from an IEP team meeting if the individual is needed to ensure that decisions can be made at the meeting about commitment of LEA resources that are necessary to implement the IEP being developed, reviewed, or revised.</p> <p><i>See Question C-1, Questions and Answers on Individualized Education Programs, Evaluations, and Reevaluations, Revised June 2010, OSEP, at</i> http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C3%2C</p> <p>If the LEA representative did not attend, locate form I-2, <i>Agreement On IEP Team Participant Attendance at IEP Team Meeting</i>. If the parent signed form I-2 on or prior to the meeting date, the requirement is met.</p>	
IEP-4	<p>The IEP contains a statement of the student's present levels of academic achievement and functional performance.</p> <p>34 CFR §300.320(a)(1); Wis. Stats. §115.787(2)(a)</p>	<p>Review the <i>Individualized Education Program: Present Level of Academic Achievement and Functional Performance</i> (I-4). There must be a statement identifying the student's present levels of academic achievement and functional performance related to educational needs.</p> <p>The statement should be written in language understandable to</p>	<p><i>Student-level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include a statement of the student's present levels of academic achievement and functional performance.* The department will verify correction</p>

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IEP-4 cont'd	Indicator 3 Indicator 7	<p>all, including the parent. The statement must address both academic achievement and functional performance.</p> <p>Academic Achievement generally refers to a student's performance in academic content areas (e.g., reading, math, science, history). Academic achievement statements may include information about a student's performance compared to established grade level benchmarks or performance measures or in relation to district or school rubrics, screeners or progress monitoring tools used to track student achievement.</p> <p>Functional Performance includes:</p> <ul style="list-style-type: none"> • Activities and skills not considered academic or directly related to a student's academic achievement on statewide assessments; • routine activities of everyday living; • skills needed for independence and performance at school, in the home, in the community, for leisure time, and for post-secondary and life-long learning; • motor skills, personal care, school/work habits, home/community orientation; and • behavior and interpersonal relationships. <p>Sometimes the same statement may include both academic achievement and functional performance.</p> <p>Academic achievement and functional performance for early childhood children, aged 3 through 5, with IEPs may include information about positive social-emotional skills (including social relationships); acquisition and use of knowledge and skills (including early language/communication and early literacy);</p>	<p>of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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IEP-4 cont'd		<p>and use of appropriate behaviors to meet their needs.</p> <p>If, after conducting a review, the IEP team determines the student does not have deficits in functional performance, it is sufficient to document this in the student's IEP.</p>	
IEP-5	<p>The IEP includes how the student's disability affects his or her involvement and progress in the general curriculum or for an early childhood (3-5) student in age-appropriate activities.</p> <p>34 CFR §300.320(a)(1)(i); Wis. Stats. §115.787(2)(a)</p> <p>Indicator 3</p>	<p>Review the <i>Individualized Education Program: Present Level of Academic Achievement and Functional Performance</i> (I-4) to see whether it includes a description of the impact of the student's disability on his or her progress and involvement in the general curriculum.</p> <p>The present level of educational performance must include how the student's disability affects his or her involvement and progress in the general curriculum. General curriculum is the same curriculum that is established for students without disabilities. General curriculum includes the subjects and curriculum areas adopted by each LEA, or schools within the LEA, that applies to all students within each general age grouping from early childhood (3-5) through secondary school.</p> <p>For an early childhood (3-5) student, the present level must address how the student's disability affects his or her participation in age-appropriate activities. "Appropriate activities" means activities that students of that chronological age typically engage in as part of a formal early childhood (3-5) program or in informal activities, for example coloring, pre-reading activities, play time, sharing time, listening to stories read by teachers or parents.</p> <p>A statement that just acknowledges that a student's disability impacts his/her performance is not sufficient. Look for</p>	<p><i>Student-level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include how the student's disability affects the student's involvement and progress in the general curriculum.* The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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IEP-5 cont'd		statements that tell how the student's progress is impacted by the disability.	
IEP-6	<p>The IEP teams must, in the case of a student whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior.</p> <p>34 CFR §300.324(a)(2)(i); Wis. Stats. §115.787(3)(b)(1)</p> <p>Indicator 4</p> <p>For more information see the department's bulletin on Addressing the Behavioral Needs of Students with Disabilities at http://sped.dpi.wi.gov/sped_bul_07-01.</p>	<p>Locate <i>Individualized Education Program: Present Level of Academic Achievement and Functional Performance</i> (form I-4). Look under "Special Factors." If "no" is checked, enter "NA" (not applicable). If "yes" is checked or neither box is checked on I-4 under "Special Factors," locate <i>Individualized Education Program: Special Factors</i> (form I-5). If neither box is checked on I-4, and there is no form I-5, the IEP does not meet the standard and the requirement is not met. If there is an I-5, look at section A. If "no" is checked in section A, enter "NA" (not applicable). If "yes" is checked in section A, determine whether the IEP includes positive behavioral interventions, strategies, and supports to address the behavior impeding learning.</p> <p>An IEP that includes only negative measures, such as seclusion or restraint, suspension, or detention does <u>not</u> meet the standard.</p>	<p><i>Student-level Noncompliance:</i> Conduct a new IEP team meeting to consider the use of positive behavioral interventions and supports and other strategies to address behavior.* The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>
IEP-7	<p>The student's IEP includes a statement of measurable annual goals for the student.</p> <p>34 CFR §300.320(a)(2); Wis. Stats. §115.787(2)(b)</p>	<p>Review the <i>Individualized Education Program: Annual Goal</i> pages (Form I-6). All of the IEP annual goals must be measurable and include a level of attainment. The annual goal must address disability-related needs of the student. Goals such as "pass all classes" or "take classes to meet graduation requirements" apply to all students. They do not meet the</p>	<p><i>Student-level Noncompliance:</i> Conduct an IEP team meeting to revise the IEP to include a statement of measurable annual goals for the student, including academic and functional goals.*</p>

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IEP-7 cont'd	Indicator 3	<p>standard because they do not address a student's specific disability-related needs.</p> <p>If a student is taking alternate assessments aligned to alternate achievement standards during the year the IEP is in effect, the IEP must include benchmarks or short-term objectives for all IEP annual goals. Benchmarks describe the amount of progress the student is expected to make within specific segments of the year. Short-term objectives break the skills described in the annual goal into discrete, measurable intermediate steps. There is no requirement to develop a goal for each alternate achievement standard.</p> <p>Review the <i>Individualized Education Program: Annual Goal</i> pages (Form I-6). Look at form I-7, <i>Individualized Education Program: Participation in Statewide Assessments</i>, to determine whether the student takes an alternate assessment aligned to alternate achievement standards. If a student is taking an alternate assessment, the requirement is met if there are benchmarks or short-term objectives for all annual goals.</p> <p>Sometimes the IEP team will develop benchmarks or short-term objectives even though the student will not participate in an alternate assessment. If there are benchmarks or short-term objectives associated with an annual goal, consider the annual goal to be measurable if a majority of the benchmarks or short-term objectives are measurable and include a level of attainment.</p>	<p>The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>
IEP-8	The IEP includes a statement of how the student's progress toward achieving the annual goals will be measured.	Review the <i>Individualized Education Program: Annual Goal</i> pages (form I-6). For each of the annual goals, the IEP must identify how the student's progress is to be measured. Such methods may include the results of progress monitoring,	<i>Student-level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include a statement of how the student's

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IEP-8 cont'd	34 CFR §300.320(a)(3)(i); Wis. Stats. §115.787(2)(h) Indicator 3	observations, anecdotal notes, keeping a log, work samples, exams, assessments, or point sheets.	progress toward achieving the annual goals will be measured.* The department will verify correction of student-level noncompliance. <i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.
IEP-9	The IEP describes the extent, if any, to which the student will not participate with non-disabled students in the regular education environment. 34 CFR §300.320(a)(5); Wis. Stats. §115.787(2)(d) Indicator 5	Each student must be educated, to the maximum extent appropriate, with non-disabled peers in regular education (or for early childhood (3-5) students, in age-appropriate settings). This requirement addresses where the student will be taught, not what he will be taught. Removal from the regular education environment must only occur when the student cannot be satisfactorily educated in that environment with the use of supplementary aids and services. The IEP team must decide whether the student will be full-time in the regular education environment. If not, the team must determine the extent of the removal and document it in the IEP. Look at the <i>Individualized Education Program: Program Summary</i> , form I-9, section V, "Participation in Regular Education Classes":	<i>Student-level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to describe the extent, if any, to which the student will not participate with non-disabled students in the regular education environment.* The department will verify correction of student-level noncompliance. <i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The

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IEP-9 cont'd		<ul style="list-style-type: none"> If the IEP indicates the student will participate full-time with non-disabled students in regular education environments (or for early childhood (3-5) students, in age-appropriate settings), no further explanation is required. If the IEP indicates the student will not participate full-time in the regular education environment, there must be an explanation of the extent the student will not participate. <p>The description of the extent, if any, to which the student will be removed from the regular education environment must be consistent with the statement of special education, related services, and supplementary aids and services in the IEP, including the anticipated frequency, amount, and location.</p> <p>Sometimes the extent of removal is unclear because the location of the services is listed as both the regular and special education environment without a description of when removal will occur. e.g., “speech therapy 90 minutes per week in the regular classroom <u>and</u> the resource room.” If this is the case, the extent of removal is unclear and the requirement is not met.</p>	department will verify current compliance on a new student record sample.
IEP-10	<p>The statement of special education in the IEP includes anticipated frequency including the amount.</p> <p>34 CFR §300.320(a)(4)&(7) Wis. Stats. §115.787(2)(c)&(f)</p> <p>Indicator 3</p>	<p>Look for documentation on the <i>Individualized Education Program: Program Summary</i>, (form I-9), section I. The services must be stated in the IEP so the level of the LEA’s commitment of resources is clear to the parents and other IEP team members. The amount of time to be committed to each service must be appropriate to the specific service and stated in a manner that can be understood by all involved in developing and implementing the IEP. Whenever possible, the IEP should describe special education using daily allotments of hours or</p>	<p><i>Student-level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include anticipated frequency, including the amount, of special education.* The department will verify correction of student-level noncompliance.</p>

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IEP-10 cont'd	For more information and examples, see DPI Information Update Bulletin, No. 10.07 at http://sped.dpi.wi.gov/sped_bul10-07 .	<p>minutes. Where a student's disability and unique educational needs are such that it would not be appropriate to reflect the amount in a daily allocation, the IEP should identify specific allocations appropriate to the needed special education, preferably in weekly allotments. "20 minutes three times per week", "40 minutes per week" or "1 hour daily" are acceptable statements.</p> <p>In the case where it is impossible to describe special education services in daily or weekly allotments of time, the IEP must clearly describe the circumstances under which the service will be provided. Statements such as "as needed," "as deemed necessary," "when appropriate," or "available daily" do not make clear the LEA's level of commitment of resources. Specific objective criteria should be used to describe when a particular service will be provided. This makes it clear when the service must be provided.</p> <p>The amount of time may be stated as a narrow range, but only if the student's IEP team determines stating the amount of services as a narrow range is necessary to meet the unique needs of the student. A narrow range may not be used for administrative convenience, such as personnel shortages or uncertainty regarding the availability of staff. The range also cannot be unreasonably wide (generally not more than 15 minutes), because this does not provide a clear commitment of resources. For example, an acceptable description might be "three times per week for 30-45 minutes per session, depending on the student's ability to attend to the instruction."</p> <p>Stating the amount of service as a minimum and/or a maximum</p>	<p><i>Current Compliance:</i></p> <p>The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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IEP-10 cont'd		is not acceptable because it is not a clear commitment of resources, e.g., "a minimum of 15 minutes three times per week."	
IEP-11	<p>The statement of related services, if any, includes anticipated frequency including the amount.</p> <p>34 CFR §300.320(a)(4)&(7) Wis. Stats. §115.787(2)(c)&(f)</p> <p>Indicator 3</p>	<p>The IEP team must identify related services, if any are required, to assist the child to benefit from special education.</p> <p>Look for documentation on the <i>Individualized Education Program: Program Summary</i>, (form I-9), section II. The services must be stated in the IEP so the level of the LEA's commitment of resources is clear to the parents and other IEP team members. The amount of time to be committed to each service must be appropriate to the specific service and stated in a manner that can be understood by all involved in developing and implementing the IEP. Whenever possible, the IEP should describe related services using daily allotments of hours or minutes. Where a student's disability and unique educational needs are such that it would not be appropriate to reflect the amount in a daily allocation, the IEP should identify specific allocations appropriate to the needed related services, preferably in weekly allotments. "20 minutes three times per week", "40 minutes per week" or "1 hour daily" are acceptable statements.</p> <p>In the case where it is impossible to describe special education services in daily or weekly allotments of time, the IEP must clearly describe the circumstances under which the service will be provided. Statements such as "as needed," "as deemed necessary," "when appropriate," or "available daily" do not make clear the LEA's level of commitment of resources. Specific objective criteria should be used to describe when a particular service will be provided. This makes it clear when the service must be provided.</p>	<p><i>Student-level Noncompliance:</i> Conduct a new IEP team meeting to revise the IEP to include anticipated frequency, including the amount, of related services.* The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>

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IEP-11 cont'd	For more information and examples, see DPI Information Update Bulletin, No. 10.07 at http://sped.dpi.wi.gov/sped_bul10-07 .	<p>The amount of time may be stated as a narrow range, but only if the student's IEP team determines stating the amount of services as a narrow range is necessary to meet the unique needs of the student. A narrow range may not be used for administrative convenience, such as personnel shortages or uncertainty regarding the availability of staff. The range also cannot be unreasonably wide (generally not more than 15 minutes), because this does not provide a clear commitment of resources. For example, an acceptable description might be "three times per week for 30-45 minutes per session, depending on the student's ability to attend to the instruction."</p> <p>Stating the amount of service as a minimum and/or a maximum is not acceptable because it is not a clear commitment of resources, e.g., "a minimum of 15 minutes three times per week."</p> <p>If the "no" box is checked, skip this item and enter "NA" (not applicable).</p>	
IEP-12	<p>The student's placement is determined at least annually.</p> <p>34 CFR §300.116(b)(1); Wis. Stats. §115.79(1)(b)</p> <p>Indicator 5</p>	<p>The IEP team determines the special education placement for the student. The student's IEP team must meet at least annually to determine placement.</p> <p>Mark "NA" (not applicable) if the record being reviewed was an initial IEP placement and go on to the next item.</p> <p>For all other IEP records, locate the date of the IEP team meeting to determine the current placement on the <i>Determination and Notice of Placement</i> (P-2). Next, locate the date of the IEP team meeting to determine the previous</p>	<p><i>Student-level Noncompliance:</i></p> <p>If the IEP team has not determined placement within the last twelve months, then the IEP team must meet to determine placement. If the IEP team met, but not within the last 12 months, no student-level correction is required. The department will verify correction of student-level noncompliance.</p>

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IEP-12 cont'd		<p>placement on the <i>Determination and Notice of Placement: Consent for Initial Placement</i> (P-1) or the <i>Determination and Notice of Placement</i> (P-2). Compare the dates on the notices to verify no more than 12 months elapsed between the date of the IEP team meeting to determine the current placement, and the date of the IEP team meeting to determine the previous placement.</p> <p>A common error occurs when the LEA calculates the annual meeting requirement based on either the dates placement notices were sent or the dates the placement was implemented, rather than the dates of the IEP team meetings to determine placement. No more than 12 months may elapse between IEP team placement meetings.</p>	<p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>
IEP-13	<p>Following the development or revision of the individualized education program and prior to its implementation, the student's parent(s) were provided a notice of placement.</p> <p>34 CFR §300.503(a) Wis. Stats. §§ 115.787(3)(e), 115.787(4)(c), and 115.792(1)(b)</p> <p>Indicator 8</p>	<p>Annually, an IEP team must meet to review the IEP. Parents must receive written notice, including a copy of their student's IEP, a reasonable time prior to its implementation. A draft IEP does not meet this requirement.</p> <p>Locate the <i>Determination and Notice of Placement: Consent for Initial Placement</i> (form P-1) or the <i>Determination and Notice of Placement</i> (form P-2). Look for the date the parents were provided with the notice and whether a box indicating they were provided a copy of the IEP is checked. To determine whether notice was provided timely, compare this date with the beginning date of IEP services at the top of the <i>Individualized Education Program: Program Summary</i>, (form I-9), and consider:</p> <ul style="list-style-type: none"> If the LEA mails notices and IEP to parents, consider the amount of time mail takes to go through the LEA's processing and mailing system. 	<p><i>Student-level Noncompliance:</i> If no notice was provided, then send a notice.</p> <p>If the notice was provided, but not before implementation of the IEP, no student-level corrective action is required. There must be evidence the parent received notice. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system</p>

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IEP-13 cont'd		<ul style="list-style-type: none"> If the LEA gives parents the placement notice and a copy of the IEP at the IEP team meeting, check the <i>Evaluation Report and IEP Cover Sheet</i> (form I-3) to see if the parents attended the meeting where the student's placement was determined. A draft IEP does not meet this requirement. Check the date of this IEP team meeting. Compare the IEP team meeting date with the date parents received the placement notice. If the parents attended the IEP team meeting, and the date the parents received the placement notice and the date of the IEP team meeting are the same, assume the parents were given the notice at the meeting. Check the beginning date of IEP services at the top of the <i>Individualized Education Program: Program Summary</i> (form I-9). If the beginning date of IEP services is on or after the date of the meeting where the parents received the placement notice, consider the requirement met. <p>If the IEP was revised after, ensure that following its revision the parents were provided a notice. An IEP may be revised after the annual meeting. This may be done without conducting an IEP team meeting. If the IEP is revised without conducting a meeting, parents must be provided a notice and a copy of the revised IEP. Determine whether the IEP has been revised without a meeting. Look for form I-10-A, <i>Changes to IEP</i>, or other evidence of an IEP revision. Then look for form I-10-B, <i>Notice of Changes To IEP Without an IEP Team Meeting</i>, to determine whether a notice was provided to the parents with a copy of the revised IEP. For the requirement to be met, proper notice must be provided after the annual IEP review and following any subsequent IEP revisions.</p>	of internal controls. The department will verify current compliance on a new student record sample.

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Discipline Sample

Discipline requirements may apply to different instances of removal for the same student. For example a student may be suspended for two days, constituting the 11th and 12th cumulative days of removal, and suspended again for three days, constituting the 13th, 14th, and 15th cumulative days of removal. Apply the standards and directions to each instance of removal to determine whether each discipline requirement has been met. Multiple instances of noncompliance for a particular item for a particular student are recorded as one “N”. However each instance of noncompliance must be corrected according to the instructions.

Note: When reviewing a record of a student who is an adult without an appointed guardian, substitute “adult student” for “parent” in all items.

Item	Compliance Statement	Standards and Directions	Correction
DISC-1	<p>After the tenth cumulative day of removal in the same school year, the student received educational services during subsequent periods of removal.</p> <p>34 CFR §300.530(d)(4)&(5)</p> <p>Indicator 4</p>	<p>After a student has been removed for a violation of a code of student conduct for more than 10 cumulative school days in the same school year, during subsequent disciplinary removals the LEA must provide the student educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child’s IEP. Examine evidence, such as teacher notes, attendance logs, or teacher time records, to determine whether the student was provided educational services during each removal beyond the tenth cumulative day of removal in the school year.</p> <p>Examples of disciplinary removals include, but are not limited to:</p> <ul style="list-style-type: none"> • Expulsions and other disciplinary changes of placement; • Removals to interim alternative educational settings for weapons or drug offenses or for inflicting serious bodily harm; • Out-of-school suspensions; • Certain in-school suspensions; • Certain bus suspensions; and • <i>De facto</i> suspensions. 	<p><i>Student-level Noncompliance:</i> The LEA must consider compensatory services by holding an IEP team meeting or with the agreement of the student’s parent either:</p> <ol style="list-style-type: none"> (1) Develop a written document to amend or modify the student’s current IEP to reflect the compensatory services (complete Form I-10-A, Form I-10-B and attach copy of IEP); (2) Discuss with the student’s parent and document agreement that no compensatory services are necessary (see Sample Letter). <p>The department will verify</p>

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Item	Compliance Statement	Standards and Directions	Correction
DISC-1 cont'd	See DPI Information Update Bulletin No. 06.02 for additional information on discipline requirements at http://sped.dpi.wi.gov/sped_bul_06-02 .	<p>Include in-school suspensions if:</p> <ul style="list-style-type: none"> • The student's IEP was not implemented; <u>or</u> • The student did not participate with nondisabled peers to the extent required by the IEP; <u>or</u> • The student did not have the opportunity to appropriately progress in the general curriculum. <p>Include a bus suspension if the student's IEP includes transportation as a related service and the district did not provide for alternative transportation.</p> <p>Include a removal as a <i>de facto</i> suspension if the student is removed from school or class for not following school rules without following the procedures related to suspension. LEAs should have procedures to accurately track and count <i>de facto</i> suspensions. A student is considered removed during periods when: (1) the student's IEP was not implemented; (2) the student did not participate with nondisabled peers to the extent required by the IEP; or (3) the student did not have the opportunity to appropriately progress in the general curriculum.</p> <ul style="list-style-type: none"> • Partial day removals must be included when determining the number of days of removal for a student. For example, if a student was suspended for four hours, then it must be counted as a ½ day of removal. 	<p>correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>
DISC-2	Within 10 school days of any decision to change the placement of a student with a disability because of a violation	Within 10 school days of any <u>decision</u> to change the placement of a student with a disability because of a violation of school code, the LEA, the parent, and relevant members of the student's IEP team must conduct a manifestation determination.	<i>Student-level Noncompliance:</i> The LEA must conduct a manifestation determination.

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DISC-2 cont'd	<p>of school code, the LEA must conduct a manifestation determination.</p> <p>34 CFR §300.530(e)</p> <p>Indicator 4</p>	<p>A disciplinary change in educational placement for a student with a disability occurs when a student is removed from his or her current educational placement for more than ten consecutive school days because of a violation of school code.</p> <p>A disciplinary change of placement also occurs if the student has been subjected to a series of removals that constitute a pattern because:</p> <ul style="list-style-type: none"> the series of removals total more than ten school days in a school year; the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another. <p>Whether the behavior in the incidents that resulted in the series of removals is "substantially similar" should be decided on a case-by-case basis and include consideration of any relevant information regarding the student's behaviors, including, where appropriate, any information in the student's IEP.</p> <p>Examine the student's <i>Manifestation Determination Review</i> (Form 1-12). Determine whether the manifestation determination was completed within ten school days of the date of the decision to change the student's placement.</p> <p>The date of the decision would be, for example,</p> <ul style="list-style-type: none"> the date the LEA decides to proceed with expulsion, the date the LEA decides to change the student's 	<p>Except where a student is disciplined for behavior involving weapons, drugs or serious bodily harm, if the behavior is determined to be a manifestation of the student's disability, the IEP team must return the student to the placement from which the student was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.</p> <p>If the behavior is determined not to be a manifestation of the student's disability, the LEA may remove the student to the same extent it would remove a student who does not have a disability.</p> <p>If the behavior is a manifestation of the student's disability and the student already has a behavioral intervention plan, the IEP team must meet to review the plan and modify the plan, if necessary, to address the student's behavior. If the student does not have a behavior intervention plan, the</p>

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DISC-2 cont'd		<p>placement because of a violation of school code, or</p> <ul style="list-style-type: none"> the date the LEA determines the pattern of removals constitute a change in placement. <p>Mark "NA" for this item if a disciplinary change in placement, as defined above, did not occur.</p>	<p>IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the student.</p> <p>If the behavior is not a manifestation of the student's disability the student must receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>
DISC-3	If the LEA determines the conduct was a manifestation of the student's disability, the LEA conducted a functional	Examine the student's <i>Manifestation Determination Review</i> (Form 1-12). If the LEA determined the conduct was a manifestation of the student's disability, look for evidence that the LEA conducted a functional behavioral assessment (FBA)	<p><i>Student-level Noncompliance:</i> If the student already has a behavioral intervention plan, the IEP team must meet to review</p>

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DISC-3 cont'd	<p>behavioral assessment and implemented a behavioral intervention plan (BIP), or if a BIP had previously been developed, reviewed, and modified the BIP as necessary.</p> <p>34 CFR §300.530(f)</p> <p>Indicator 4</p> <p>For information on conducting FBAs and developing BIPs, see DPI Information Update Bulletin No. 07.01 on “Addressing the Behavioral Needs of Students with Disabilities” at http://sped.dpi.wi.gov/sped_bul_07-01.</p>	<p>and developed and implemented a behavioral intervention plan (BIP). If there is an existing BIP, look for evidence that the IEP team reviewed and modified the plan, as necessary, to address the student’s behavior.</p> <p>Mark “NA” for this item if the LEA determined the conduct was not a manifestation of the student’s disability.</p> <p>Mark “NA” for this item if a change in placement, as defined in item DISC- 2, did not occur.</p>	<p>the plan. The IEP team must modify the plan, if necessary, to address the student's behavior. If the student does not have a behavioral intervention plan, the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the student.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>
DISC-4	<p>On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of school code, the LEA notified the parent and provided the parents a copy of the procedural safeguards notice.</p>	<p>A copy of the procedural safeguards notice must be given to parents only one time a school year, except that a copy must also be given to the parents:</p> <ul style="list-style-type: none"> • upon initial referral or parent request for evaluation, • upon receipt of the first state IDEA complaint, • upon receipt of the first due process complaint, • <u>on the date the LEA decides to make a disciplinary removal that constitutes a change of placement.</u> <p>Look for evidence the student’s parents were notified and</p>	<p><i>Student-level Noncompliance:</i> If not already provided, the LEA must notify the parents of the decision to make a removal that constitutes a disciplinary change of placement. If not already provided, the LEA must also provide the parents a copy of the procedural safeguards notice. Document that written notice</p>

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DISC-4 cont'd	<p>34 CFR §300.530(h)</p> <p>Indicator 4</p> <p>A copy of the department's Model Procedural Safeguard Notice may be found at http://sped.dpi.wi.gov/sped_pcri_ghts.</p>	<p>provided a copy of the procedural safeguards notice on the date the decision was made to change the student's placement for a violation of school code. The LEA should have a method of documenting when the procedural safeguards notice was sent.</p> <p>The date of the decision would be, for example,</p> <ul style="list-style-type: none"> • the date the LEA decides to proceed with expulsion, • the date the LEA decides to change the student's placement because of a violation of school code, or • the date the LEA determines the pattern of removals constitute a change in placement. <p>Mark "NA" for this item if a disciplinary change in placement, as defined in item DISC- 2, did not occur.</p>	<p>was provided, including date and method. The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample. Develop a system to document procedural safeguards notice was provided, including date and method.</p>

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No Sample Items

Item	Compliance Statement	Standards and Directions	Correction
No Sample 1 applies to initial evaluations for all students for whom consent was received (including public, private, home school, etc.)			
NO SAMPLE - 1	<p>The LEA conducted an initial evaluation within 60 days of receiving parental consent for the evaluation.</p> <p>34 CFR §300.301(c)(1)(i), 34 CFR §300.309(c), Wis. Stats. §115.78(3)</p> <p>Indicator 11</p> <p>SLD FAQ http://sped.dpi.wi.gov/files/sped/pdf/sld-faq.pdf.</p>	<p>An LEA must determine if a student is a child with a disability within 60 days after the LEA receives parental consent for administering tests or other evaluation materials as part of an IEP team evaluation. There are three exceptions to the 60-calendar day timeline:</p> <ul style="list-style-type: none"> • The first involves a student who transfers from one LEA to another after the 60-day timeline has begun and prior to a determination of eligibility by the previous LEA. For the exception to apply, the LEA must have completed the evaluation within a specific time agreed to by the parent and LEA. • The second exception is if the parent repeatedly fails or refuses to make the student available for the evaluation. This is determined on a case-by-case basis, and what constitutes "repeatedly failed" or "refuses to make the student available" will vary depending on the specific circumstances in each case. • The third exception applies to students being evaluated for a specific learning disability for the first time and the timeline is extended by mutual written agreement with the parent. <p>The department has developed a new application for reporting NO SAMPLE-1 / Indicator 11: Timely Initial Evaluations data. A link to this new application is available within the PCSA reporting application as well as the Special Education Web Portal. The new application collects student-level information, calculates whether the evaluation was completed within the 60-</p>	<p><i>Student-level Noncompliance:</i> Student-level corrective action is not required if there was a delay in the evaluation and the student was not found eligible for special education.</p> <p>The LEA must complete the evaluation if it has not been finished.</p> <p>The LEA must consider compensatory services because of the delay in the evaluation. The LEA can consider whether compensatory services are required by doing one of the following:</p> <ol style="list-style-type: none"> 1) Hold an IEP team meeting; or 2) With the agreement of the student's parent, develop a written document to amend or modify the student's current IEP to reflect the compensatory services (complete Form I-10-A, Form I-10-B and attach copy of IEP); or

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NO SAMPLE -1 cont'd		<p>calendar day timeline and produces the required data report. Assemble the following information for entry into the application:</p> <ol style="list-style-type: none"> 1. A list of students for whom the LEA received consent to conduct an initial evaluation between July 1, 2014 and June 30, 2015. Include all students initially evaluated, including students who were enrolled in a private school by their parents, and students participating in home-based education programs at the time of the evaluation. Do not include students who enrolled in a different LEA before the evaluation was completed. 2. For each student, the student's Wisconsin Student Number (WSN). 3. For each student, the date consent to conduct the evaluation was received by the LEA and the date the evaluation was completed.* 4. For each student, whether the student was found eligible or not eligible. <p>*Complete all evaluations prior to submitting NO SAMPLE-1 / Timely Initial Evaluations data, unless one of the three exceptions to the 60-calendar day timeline continues to apply.</p>	<p>3) Discuss with the student's parent and document agreement that no compensatory services are necessary (see Sample Letter).</p> <p><i>Current Compliance:</i> The LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance on a new student record sample.</p>
NO SAMPLE -2	<p>After consulting with representatives of private schools, the LEA obtained a written affirmation signed by private school representatives.**</p> <p>34 CFR §300.135</p>	<p>A private school is an institution with a private educational program that meets all of the criteria under Wis. Stats. s. 118.165(1), or is determined to be a private school by the state superintendent under s. 118.167. A home-based private educational program is not a private school.</p> <p>During the design and development of special education and related services for parentally placed private school students with</p>	<p><i>Student-level Noncompliance:</i> Not Applicable</p> <p><i>Current Compliance:</i> The LEA must consult with representatives of private schools and obtain a written affirmation</p>

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NO SAMPLE -2 cont'd	<p>Indicator: Other</p> <p>The DPI has developed an affirmation form for LEA use. It may be accessed at http://sped.dpi.wi.gov/files/sped/doc/prischaff.doc.</p>	<p>disabilities, an LEA must engage in timely and meaningful consultation with representatives of private schools located in the LEA and the parents of such students. After consulting, the LEA must obtain written affirmations signed by private school representatives who were consulted.</p> <p>If representatives of private elementary and secondary schools located in the LEA were consulted, and there is a signed affirmation from each private school representative who was consulted, the requirement is met. If an affirmation is requested and the representative did not provide a signed affirmation within a reasonable amount of time but the LEA forwarded documentation of the consultation process to the DPI, the requirement is met. If there are no private schools within the boundaries of the LEA, mark "NA."</p>	signed by private school representatives. The department will verify current compliance with this requirement.
NO SAMPLE -3	<p>Each parentally placed private school student with a disability who has been designated by the LEA to receive services has a current services plan.**</p> <p>34 CFR §300.138(b)</p> <p>Indicator: Other</p>	<p>A parentally placed private school student with a disability is a student with a disability enrolled by his or her parent in a private, including religious, school.</p> <p>A private school is an institution with a private educational program that meets all of the criteria under Wis. Stats. s. 118.165(1) or is determined to be a private school by the state superintendent under s. 118.167. A home-based private educational program is not a private school.</p> <p>A services plan for a parentally placed private school student must, to the extent appropriate, be developed, reviewed, and revised consistent with 34 CFR §§ 300.321 through 300.324.</p> <p>Create a list of all parentally placed private school students with disabilities who have currently been designated by the LEA to</p>	<p><i>Student-level Noncompliance:</i> The LEA must conduct a meeting to develop a current services plan consistent with 34 CFR 300.138(b). The department will verify correction of student-level noncompliance.</p> <p><i>Current Compliance:</i> LEA must take action to ensure future compliance including implementing a system of internal controls. The department will verify current compliance with this requirement.</p>

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NO SAMPLE -3 cont'd		<p>receive services. Exclude students found eligible for a service plan after a district has already met the equitable services requirement.</p> <p>The requirement is met if all students on the list have a services plan revised within the last 12 months. The requirement is not met if one or more students on the list have a services plan not revised within the last 12 months.</p>	

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